



IN THE COMPETITION
APPEAL TRIBUNAL

Case Nos: 1424/5/7/21 (T)
1596/5/7/23 (T)

BETWEEN:

- (1) KELKOO.COM (UK) LIMITED**
- (2) KELKOO SAS**
- (3) JAMPLANT LIMITED**
- (4) KELKOO INTERNET S.L.**
- (5) KELKOO AS**
- (6) KELKOO SRL**
- (7) KELKOO NETHERLANDS BV**
- (8) KELKOO AB**
- (9) KELKOO DEUTSCHLAND GMBH**
- (10) KELKOO DANMARK A/S**
- (11) JOLT LIMITED**

(together, “**Kelkoo**”)

Claimants

v

- (1) GOOGLE UK LIMITED**
- (2) GOOGE IRELAND LIMITED**
- (3) GOOGLE INC.**

Defendants

AND BETWEEN:

WHITEWATER CAPITAL LIMITED
(“WWC”)

Claimant

v

- (1) GOOGLE LLC**
- (2) ALPHABET INC**

Defendants

CONSENT ORDER

UPON the confidentiality order dated 15 May 2024 (the “**Confidentiality Order**”) providing, inter alia, for confidential information to be designated as Confidential Information or Legal Eyes Only Confidential Information (as those terms are defined in the Confidentiality Order)

AND UPON the application for disclosure dated 24 October 2024 in *Kelkoo.com (UK) Limited & Ors. v. Google LLC & Ors.* (the “**Kelkoo Proceedings**”), which is supported by the Claimants in the *Whitewater Capital Limited v. Google LLC & Anor.* (the “**Ciao Proceedings**”) (“**Kelkoo’s Disclosure Application**”)

AND UPON the updated draft Order for disclosure filed by the Claimants in the Kelkoo Proceedings and the Ciao Proceedings on 15 November 2024

AND HAVING REGARD TO the Sixth Witness Statement of Stephen Wisking in response to Kelkoo’s Disclosure Application

IT IS ORDERED THAT:

1. Documents disclosed in the Kelkoo Proceedings shall be deemed to be disclosed in the Ciao Proceedings, subject to:
 - (a) Google retaining the right to designate documents not relevant to the Ciao Proceedings as Excluded Documents (as defined in the Confidentiality Order) pursuant to paragraph 13 of the Confidentiality Order; and
 - (b) in the event of any adverse costs award in WWC’s favour, Google not being liable for the costs incurred by WWC in respect of any such Excluded Documents.
2. Costs in the case.
3. The parties have liberty to apply.

The Honourable Mr Justice Roth
Acting President of the Competition Appeal Tribunal

Made: 19 November 2024
Drawn: 19 November 2024